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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,930	09/14/2000	Don Stephan	10512.103US01	1161
23552	7590	07/27/2005	EXAMINER	
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			NGUYEN, KIM T	
			ART UNIT	PAPER NUMBER
			3713	

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/661,930		STEPHAN, DON	
	Examiner		Art Unit	
	Kim Nguyen		3713	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14,27-29 and 31-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14,27-29 and 31-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/3/01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Examiner acknowledges receipt of the RCE filed with the amendment on 4/18/05. According to the amendment, claims 15-26 and 30 have been canceled, claims 33-43 have been added, and claims 1-14, 27-29, and 31-43 are pending in the application.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hedrick et al (US. 6,135,884) in view of DeMar et al (US. 6,270,410).

As per claim 1, Hedrick discloses an electronic gaming system comprising a programmable computing system within a computer enclosure 623 (Fig. 6); a player wager and prize unit (col. 6, lines 19-25); two or more display devices 220 and 221 (Fig. 2). Hedrick does not explicitly disclose a pair of vertical support members. However, Hedrick discloses a support structure 323 (Fig. 3d) on which a display screen is mounted (Fig. 3d); and DeMar

discloses extending the vertical support members upward from the top side of the enclosure (Fig. 1). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to substitute the support structure of Hedrick with the vertical support members extending from a top side of the enclosure as taught by DeMar in order to reduce support materials.

As per claim 2-14, the limitations set forth in claims 2-14 would have been a well known inside structure of a video-based electronic game system of the independent claim 1. It would have been obvious to a person of ordinary skill in the art at the invention was made to include the well known internal structure of claims 2-14 to the video game device of Hedrick in order to provide a video game system which accepts wager, distributes prize, and displays game results.

3. Claims 27-29 and 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hedrick et al (US. 6,135,884) in view of Ohishi et al (US. 5,926,153).

As per claim 27, Hedrick discloses a plurality of video displays 220 and 221 (Fig. 2) mounted to an upper portion of the game housing. Hedrick does not explicitly disclose arranging the screens at an obtuse angle to one another. However, Ohishi discloses arranging the screens at an obtuse angle to one another (Fig. 5). It would have been obvious to a person of ordinary skill in the

art at the time the invention was made to arrange the screens of Hedrick at an obtuse angle to one another as taught by Ohishi in order to facilitate reading information on the displays that are above the player.

As per claim 28, Hedrick discloses video displays (col. 5, lines 45-46; col. 6, lines 1-5; and col. 18, lines 64-67).

As per claim 29, Hedrick discloses a plurality of displays (Fig. 2; col. 5, lines 45-67 and col. 6, lines 1-5). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include at least three displays to the game apparatus of Hedrick, since duplicating the same devices requires only routine skill in the art.

As per claim 31, Ohishi discloses arranging the screens to face a center point forward of the screens (Figs. 5 and 29) and , Hedrick discloses screens is on the housing (Fig. 1).

As per claim 32, Ohishi discloses mounting the screens on the arcing rails (Figs. 20 and 29).

4. Claims 33-34, 36-37 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hedrick et al (US. 6,135,884) in view of Luciano, Jr. (US. 6,290,603).

As per claim 33, refer to discussion in claim 1 above. Hedrick does not explicitly disclose that the wager and prize unit is separated from the computer

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enclosure. However, Luciano discloses that the enclosure and the wager and prize units are separate units (col. 3, lines 40-47). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to separate the wager and prize units from the computer enclosure as taught by Luciano, since separating or rearranging a part from an apparatus requires only routine skill in the art.

As per claim 34, Hedrick discloses extending the display screens upward from the gaming device (Fig. 2).

As per claim 36-37, refer to discussion in claims 28-29 above.

As per claim 43, Hedrick discloses including input and output controls in the game machine (col. 6, lines 6-10).

5. Claims 35 and 38-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hedrick et al (US. 6,135,884) in view of Luciano, Jr. (US. 6,290,603) and Ohishi et al (US. 5,926,153).

As per claim 35 and 38-40, refer to discussion in claims 31-32 above.

As per claim 41, Ohishi discloses connecting adjacent screens at an oblique angle to one another (Figs. 5 and 20).

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6. Claims 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hedrick et al (US. 6,135,884) in view of Luciano, Jr. (US. 6,290,603) and Richter (US. 6,283,862).

As per claim 42, Hedrick and Luciano do not disclose displaying portions of a large image that form a continuous image. However, Richter suggests dividing the large image into parts and each video screen displays a part of image (col. 1, lines 22-26). Further, displaying portions of a large image that form a continuous image would have been old and well known. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to display a portion of a large image corresponds to its position to form the entire image as suggested by Richter in order to facilitate enlarging details of the image.

Response to Arguments

7. Applicant's arguments 4/18/05 have been considered but are moot in view of the new ground(s) of rejection.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim Nguyen whose telephone number is 571-272-4441. The examiner can normally be reached on Monday-Thursday during business hours.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai, can be reached on 571-272-7147. The central official fax number for the organization where this application or proceeding is assigned is 703-872-9306.

kn

Date: July 12, 2005



Kim Nguyen
Primary Examiner
Art Unit 3713